

Legacy Land Conservation Program 2008 Grant Application Instructions

How to Apply:

- 1) Download the Grant Application from the website and read the Grant Application Instructions (below). **Type your responses using a computer (the application is writable); do not handwrite.**
- 2) Complete the application and gather required preliminary documentation (listed below) for submission by the annual deadline (TBA).
- 3) Be prepared to submit other supporting documentation (listed below) upon the request of the Legacy Land Conservation Commission or Legacy Land Conservation Program.
- 4) Preview the Grant Recipient Guidelines (available on website) to anticipate what may be required of applicants receiving awards.

General Instructions for Grant Application

1. Accurate and complete information. All applications will be reviewed for accuracy and completeness. Any missing required information or inaccurate information may result in the rejection of an application.
2. Public record. All applications and any subsequent information provided by grant applicants relating to the Legacy Land Conservation Program shall be of public record except as may be excluded pursuant to Hawaii Revised Statutes, Chapter 92F.
3. Match. Where the intended recipient of a grant is a county agency or nonprofit land conservation organization, matching funds of at least 25% of the total project costs are required. Matching funds may be in the form of direct monies, a combination of public and private funds, land value donation, in-kind contributions, or any combination thereof. Evidence of the matching funds shall be made available prior to any distribution of grant funds. However, an entity may apply to the Legacy Land Conservation Program while other applications are pending.
4. Sale, lease or other disposal of land. Land acquired with State funds and subsequently sold or leased will be subject to pay back provisions and the approval of the BLNR.
5. Deed restrictions, covenants and/or agricultural and conservation easements. To ensure protection of the property, the Board of Land and Natural Resources may

- require that deed restrictions, covenants, or conservation/agricultural easements be placed on the property as a condition of the receipt of funds.
6. Appraised fair market value. Funds from the Legacy Land Conservation Program may not be used to fund any acquisition where the property is being acquired for a price that is higher than the fair market value of the property as determined by a DLNR-approved appraisal.
 7. Regulatory approvals. Prior to the disbursement of funds, all legal and regulatory approvals (i.e. subdivision, etc.) required for the conveyance to the grantee shall be completed.
 8. State acquisitions. If this application results in the acquisition of interests or rights in property or easement by the State of Hawai'i:
 - a. All State acquisitions approved by BLNR shall be done in compliance with Sections 107-10, 171-11 and 171-30, H.R.S., as amended, and Chapter 101, HRS, as may be necessary.
 - b. Pursuant to H.R.S. §171-30(e), total consideration paid in any Legacy Land Conservation Program project shall not be greater than the fair market value of the interest to be acquired as determined by an independent professional appraisal.
 - c. Pursuant to H.R.S. Chapter 343, an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required.
 - d. Any conveyance of fee title in private lands to the State of Hawaii DLNR shall be via the State's standard warranty deed document form, as may be amended from time to time, which contains hazardous waste testing provisions and indemnity language.
 - e. The issuance of a Governor's Executive Order to the Applicant or cooperating governmental agency may be recommended.
 - f. Any conveyance tax is the responsibility of the seller of the real property.
 - g. If escrow services are used, then all fees shall be the sole responsibility of the seller; moreover the seller shall be responsible for providing escrow instructions subject to DLNR review and approval.
 9. Federal partnership. Any permanent easement established that includes partnership with a federal land conservation program may be transferred only as provided by rules of the federal program.
 10. Expenditure deadline. Should grant funds be awarded, such moneys must be expended within two years of receipt of funds unless the BLNR approves of an extension in writing prior to expiration. Should awarded funds not be expended within the allotted time, a new application must be submitted for future consideration.

11. Reimbursement of costs. Applicants may choose to include, for reimbursement consideration, the cost of obtaining documents or services in Section F. ("Funding Request") of the Grant Application. A current title report and appraisal will be required for all grant recipients.
12. Final awards. Final funding awards are at the discretion of the BLNR, the Attorney General, the Governor, and the Senate President and Speaker of the House of Representatives of the Hawaii State Legislature.

Required Preliminary Documentation

Please include the following documents with your Grant Application (provide/attach an explanation for any of the following documents that are not included). Do not submit documents that cannot easily be reproduced, scanned or converted to a digital format.

1. A general location map and a parcel map.
2. At least one (1), but no more than three (3) photos of the property.
3. For non-profit land conservation organizations:
 - a. IRS 501 (c) (3) or (c) (1) non-profit status determination letter.
 - b. Letter (original with certified signature) from current landowner of property or easement acknowledging project and application.
4. Letter from current landowner acknowledging project and indicating willingness to sell OR an explanation of why applicant is not able to obtain this letter.
5. WHERE INTENDED HOLDER OF PROPERTY INTEREST IS OTHER THAN APPLICANT: a letter from the intended holder of the property interest indicating willingness to participate OR an explanation of why applicant is not able to obtain this letter.

Other Supporting Documentation

The documents listed below may be requested from applicants whose projects are nominated for funding. Applicants are encouraged to submit these documents with the application if they are available, in order to assist the evaluation. The inclusion of any concise and relevant appended/supplementary materials is optional. Do not submit documents that cannot easily be reproduced, scanned or converted to a digital format.

1. Title report. For the purposes of applying, any available title reports concerning the subject property may be included with the application; however, a current report will be required from applicants that have been approved for awards.
2. An appraisal report. For the purposes of applying, any available appraisals concerning the subject property may be included with the application, however, an appraisal report that has been approved by the Department of Land and Natural Resources will be required from applicants that have been approved for awards.

3. Verification of the sources and status of matching funds. Verification could be copies of grant applications submitted to other sources (and the status of these applications), contact information, or award letters.
4. Environmental Site Assessment(s) or Cultural Impact Assessment(s).
5. Other documentation verifying information included in application or deemed necessary by the Legacy Land Conservation Commission and the DLNR for evaluation.
6. Non-profit organizations may be required to submit copies of their bylaws, tax clearances, budgetary information, or other information in order to determine their non-profit status.